



The City of New York

COMMUNITY BOARD 17

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Dion Quamina
Second Vice Chair

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Treasurer

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Committee Chair/Meetings

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Block Association

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Commerce

Gail Grandison
Education/Youth

Dr. Charles Galbreath
Hospitality

Pearlene Fields
Housing

Kwame Afreh
Land Use

Berlotte Antoine
Parks/Beautification

Rose Graham
Personnel

Kenrick Wescott
Postal Services

Jessica Welch
Public Safety

Julia James
Re-zoning

Joseph Cobourne
Sanitation

Rhoda F. Joseph
Social Services

Dion Quamina
Transportation

Resolution No. 1

COMMUNITY BOARD 17

Procedures for Member Videoconferencing

Pursuant to Public Officers Law § 103-a

WHEREAS, by passing Chapter 56 of the Laws of 2022 (“Chapter 56”), the New York State Legislature amended Section 103 of the Open Meetings Law; and

WHEREAS, Chapter 56 adds Section 103-a of the Open Meetings Law, permitting the Community Board 17 to authorize its members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a(2)(a) requires the Community Board 17 to adopt a resolution following a public hearing authorizing the limited use of videoconferencing under such circumstances; and

WHEREAS, Section 103-a(2) allows for hybrid meetings by requiring “that a minimum number of members are present to fulfill the public body’s quorum requirement in the same physical location or locations where the public can attend”; and

WHEREAS, Section 103-a(2)(c) requires that members be physically present at any such meeting “unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances . . . including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting”; and session, be

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WHEREAS, Community Board 17 has the discretion to set forth its use of videoconferencing, **pursuant to Public Officers Law, Section 103a**

“**WHEREAS**, in accordance with Section 103-a(2)(d), any members attending by videoconference must, excerpt during executive heard, seen, and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon”; and

WHEREAS, Section 103-a(2)(g) requires that any meeting where a member attends by videoconference be recorded, posted to the CB17’s webpage within five business days, and transcribed upon request; and

WHEREAS, Section 103-a(2)(h) requires that members of the public be permitted to attend and participate, if authorized, in any meeting by videoconference when a member attends by videoconference.

BE IT RESOLVED, Community Board 17 requires the in-person presence of Board members in order to participate in the conduct of the affairs of the Community board at the Regular Meetings of the Board and as such the failure of a Board Member to be physically present at a Regular Monthly meeting of the Board constitutes an absence.

Notwithstanding, to encourage community involvement, the public meetings of the board may be made available to the public by videoconferencing. Participation by a Board Member by videoconference does not satisfy the Board’s attendance requirements

BE IT RESOLVED, that Community Board 17 authorizes its members who experience an extraordinary circumstance, as described above and further defined by any rules or written procedures later adopted, to attend meetings by videoconference: (i) as long as a quorum of the members attend in-person at one or more locations open to the public; (ii) as long as the member can be seen, heard, and identified while the open portion of the meeting is being conducted; and (iii) as otherwise permitted under Chapter 56 of the Laws of 2022; and be it further

RESOLVED, that the Community Board 17 shall create written procedures further governing its use of video-conferencing by its members in compliance with Chapter 56 of the Laws of 2022.

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Pursuant to Public Officers Law § 103-a

In compliance with Public Officers Law (POL) § 103-a(2)(a), Community Board 17, following a public hearing, authorized by resolution on October 19th, 2022, the use of videoconferencing as described in POL § 103-a.

The following procedures are hereby established to satisfy the requirement of POL § 103-a(2)(b) that any public body which in its discretion wishes to permit its members to participate in meetings by video-conferencing from private locations – under extraordinary circumstances – must establish written procedures governing members and public attendance.

1. Community Board 17 members shall be physically present at any meeting of the Community Board 17 unless such member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances.
2. For purposes of these procedures, the term “extraordinary circumstances” includes disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting.
3. If a member is unable to be physically present at one of the designated public meeting locations and wishes to participate by videoconferencing from a private location due to extraordinary circumstances, the member must notify CHAIR OF Community Board 17 no later than four business days prior to the scheduled meeting in order for proper notice to the public to be given. If extraordinary circumstances present themselves on an emergent basis within four days of a meeting, Community Board 17 shall update its notice as soon as practicable to include that information. If it is not practicable for Community Board 17 to update its notice, the Community Board 17 may reschedule its meeting.
4. If there is a quorum of members participating at a physical location(s) open to the public, Community Board 17 may properly convene a meeting. A member who is participating from a remote location that is not open to in-person physical attendance by the public *shall not* count toward a quorum of Community Board 17 but may participate and vote if there is a quorum of members at a physical location(s) open to the public.
5. Except in the case of executive sessions conducted pursuant to POL § 105, the Community Board 17 shall ensure that its members can be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. This shall include the use of first and last name placards physically placed in front of the members or, for

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members participating by videoconferencing from private locations due to extraordinary circumstances, such members must ensure that their full first and last name appears on their videoconferencing screen.

6. The minutes of the meetings involving videoconferencing based on extraordinary circumstances pursuant to POL § 103-a shall include which, if any, members participated by videoconferencing from a private location due to such extraordinary circumstances.
7. The public notice for the meeting shall inform the public: (i) that extraordinary circumstances videoconferencing will (or may) be used, (ii) where the public can view and/or participate in such meeting, (iii) where required documents and records will be posted or available, and (iv) the physical location(s) for the meeting where the public can attend.
8. The Community Board shall provide that each open portion of any meeting conducted using extraordinary circumstances videoconferencing shall be recorded and such recordings posted or linked on the [PUBLIC BODY] website within five business days following the meeting and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.
9. If members of Community Board 17 are authorized to participate by videoconferencing from a private location due to extraordinary circumstances, the Community Board shall provide the opportunity for members of the public to view such meeting by video, and to participate in proceedings by videoconference in real time where public comment or participation is authorized. Community Board 17 shall ensure that where extraordinary circumstances videoconferencing is used, it authorizes the same public participation or testimony as in person participation or testimony.
10. Choice 1:

Open meetings of Community Board 17 conducted using extraordinary circumstances videoconferencing pursuant to the provisions of POL § 103-a shall be broadcast pursuant to the requirements of POL § 103(f) and shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this guideline, “disability” shall have the meaning defined in Executive Law § 292.

Choice 2:

Open meetings of the Community Board conducted using extraordinary circumstances video-conferencing pursuant to the provisions of POL § 103-a shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this guideline, “disability” shall have the meaning defined in Executive Law § 292.

11. The in-person participation requirements of POL § 103-a(2)(c) shall not apply during a [state disaster emergency declared by the governor pursuant to Executive Law § 28 or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to § 24 of the Executive Law] if the Community Board determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Community Board to hold an in person meeting.
12. These procedures shall be conspicuously posted on the Community Board 17’s website.

E-Mail: bk17@cb.nyc.gov

Website: <https://cbbrooklyn.cityofnewyork.us/cb17>